

### **REMARKS**

In the Office Action mailed March 17, 2005, the Examiner rejected claims 1-20 under 35 U.S.C. § 102(e) as anticipated by US Patent No. 6,718,516 ("*Claussen*").

Applicant notes that the Office Action contains numerous statements reflecting apparent assertions concerning the claims. Regardless of whether any such statement is addressed specifically herein, Applicant declines to subscribe to any assertion and/or characterization set forth in the Office Action.

### **REJECTION OF CLAIMS 1-12**

Applicant respectfully traverses the rejection of claims 1-20 under 35 U.S.C. § 102(e) as anticipated by *Claussen* because *Claussen* fails to expressly or inherently teach every element recited in each claim. M.P.E.P. § 2131 (8th Ed. May 2004).

In particular, *Claussen* fails to teach at least: accessing a custom tag library, wherein the custom tag library includes one or more tags each designating an XPath operation, as recited in independent claims 1, 3, and 5; determining a target data on which a determined action is to be performed by parsing an instruction to obtain an XPath operation indicating the target data, as recited in independent claim 6; custom tags to facilitate accessing contents of a document object model by permitting use of XPath operations to access data, as recited in independent claim 7; custom tags to facilitate accessing contents of a document object model by permitting use of XPath syntax, as recited in independent claim 8; a tag handler that parses a custom tag included in instructions and evaluates an XPath operation based on the custom tag, as recited in independent claim 11; and a tag handler that parses a custom tag included in

instructions and evaluates an XPath operation for accessing data based on the custom tag, as recited in independent claim 12.

On page 3 of the Office Action, the Examiner incorrectly alleges that XPath is "XML path which provides syntax for specifying and selecting parts on an XML document." As indicated on page 6 of the specification, XPath is short for **XML Path Language**. The XML Path Language is not merely XML syntax that can be used to specify a path. Rather, the XML Path Language is an independent language separate from XML code, and provides easy syntax for specifying and selecting parts of an XML document or DOM. See XML Path Language (XPATH) Version 1.0, submitted with the Information Disclosure Statement filed on December 21, 2001.

*Claussen* discloses a cataloging and registration mechanism to organize the tags and prevent naming collisions. Col. 5, lines 39-41. For this purpose, *Claussen* describes using a tag library comprising an XML page that identifies the tag namespace and lists the tags recognized in the namespace. *Claussen* does not teach using XML Path Language operations or using XML Path Language syntax. *Claussen* does not teach anything regarding XML Path Language operations or XML Path Language syntax.

Accordingly, the rejection of independent claims 1, 3, 5-8, 11, and 12, under 35 U.S.C. § 102(e) is not supported by *Claussen*, and should be withdrawn. Further, the rejection of dependent claims 2, 4, 9, 10, and 13-20 under 35 U.S.C. § 102(e) as anticipated by *Claussen*, should also be withdrawn at least by virtue of their dependence upon allowable claims 1, 3, 8, and 12 in addition to the patentable subject matter recited therein.

**CONCLUSION**

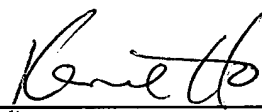
In view of the foregoing remarks, Applicant respectfully requests reconsideration and reexamination of this application and the timely allowance of pending claims 1-20.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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